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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA	A,)
Plaintiff,)
VS.) No. 3:16-cr-00086-SLG
JOHN PEARL SMITH II,)
Defendant.)))

PROPOSED VERDICT FORMS

The United States hereby respectfully submits the following proposed verdict forms for this Court's consideration in this case.

United States v. John Pearl Smith II
Case No. 3:16-cr-00086-SLG Page 1 of

UNITED STATES OF AMERICA,) N. 2.16 - 00006 SLC
Plaintiff,) No. 3:16-cr-00086-SLG
VS.) VERDICT 1
JOHN PEARL SMITH II,))
Defendant.)))
We, the Jury, duly empaneled to	try the above-entitled matter, do find the
defendant, JOHN PEARL SMITH II,	(Not Guilty/Guilty) of the
crime of Attempted Robbery of Ben Gross i	in violation of Section 1951(a) of Title 18 of
the United States Code, as charged in Count	1 of the Indictment.
Dated this day of November 202	21.
	JURY FOREPERSON

Note: If you find the defendant not guilty of this count (Count 1), do not render verdicts as to Counts 3, 4, 5 and 6. Only if you find the defendant guilty of this count, proceed to render verdicts as to Counts 3, 4, 5 and 6.

UNITED STATES OF AMERICA,	N 2.16 00006 GLG
Plaintiff,	No. 3:16-cr-00086-SLG
vs.	VERDICT 2
JOHN PEARL SMITH II,))
Defendant.)))
We, the Jury, duly empaneled to	try the above-entitled matter, do find the
defendant, JOHN PEARL SMITH II,	(Not Guilty/Guilty) of the
crime of Attempted Possession of a Contro	olled Substance with Intent to Distribute in
violation of Sections 846 and 841(b)(1)(C) of	Title 21 of the United States Code, as charged
in Count 2 of the Indictment.	
Dated this day of November 202	1.
	JURY FOREPERSON

Note: If you find the defendant not guilty of this count (Count 2), do not render verdicts as to Counts 7 and 8. Only if you find the defendant guilty of this count, proceed to render verdicts as to Counts 7 and 8.

UNITED STATES OF AMERICA, Plaintiff,	No. 3:16-cr-00086-SLG	
vs.	VERDICT 3A	
JOHN PEARL SMITH II,		
Defendant.		
Note: If you found the defendant not guilty of Count 1, do not render a verdict as to Count 3. Complete this verdict <u>only</u> if you found the defendant guilty of Count 1.		
We, the Jury, duly empaneled to	try the above-entitled matter, do find the	
defendant, JOHN PEARL SMITH II,	(Not Guilty/Guilty) of the	
crime of Using a Firearm to Commit Murder	of Ben Gross During and in Relation to the	
Attempted Robbery of Ben Gross in violation	n of Sections 924(c)(1) and 924(j)(1) of Title	
18 of the United States Code, as charged in C	Count 3 of the Indictment.	
Dated this day of November 202	1.	
	JURY FOREPERSON	

[Note: If you find the defendant not guilty of Count 3, skip the next page. If you find the defendant guilty of Count 3, proceed to consider the additional question on the next page.]

UNITED STATES OF AMERICA,) N. 2.16 20006 GLG
Plaintiff,) No. 3:16-cr-00086-SLG
VS.) <u>VERDICT 3B</u>
JOHN PEARL SMITH II,)
Defendant.))
question. Complete this verdict <u>only</u> if you	ty of Count 3, do not render a verdict on this found the defendant guilty of Count 3. endant, JOHN PEARL SMITH II, GUILTY of
Count 3 of the Indictment, further find (che	
[] the defendant killed Ben C	Gross with malice aforethought
[] the killing was premeditate	ed.
Dated this day of November 20	021.
	JURY FOREPERSON

UNITED STATES OF AMERICA,)) N 2.16 00006 GLC
Plaintiff,) No. 3:16-cr-00086-SLG
VS.) VERDICT 4
JOHN PEARL SMITH II,)
Defendant.)))
Note: If you found the defendant not guilty of 4. Complete this verdict only if you found the	of Count 1, do not render a verdict as to Count he defendant guilty of Count 1.
We, the Jury, duly empaneled to	try the above-entitled matter, do find the
defendant, JOHN PEARL SMITH II,	(Not Guilty/Guilty) of the
crime of Using a Firearm to Commit Felony	-Murder of Ben Gross During and in Relation
to the Attempted Robbery of Ben Gross in v	riolation of Sections 924(c)(1) and 924(j)(1) of
Title 18 of the United States Code, as charg	ed in Count 4 of the Indictment.
Dated this day of November 20	21.
	JURY FOREPERSON

UNITED STATES OF AMERICA,) No. 2-16 00096 SLC	
Plaintiff,) No. 3:16-cr-00086-SLG	
VS.) <u>VERDICT 5A</u>	
JOHN PEARL SMITH II,))	
Defendant.)))	
Note: If you found the defendant not guilty of 5. Complete this verdict only if you found the	of Count 1, do not render a verdict as to Count se defendant guilty of Count 1.	
We, the Jury, duly empaneled to	try the above-entitled matter, do find the	
defendant, JOHN PEARL SMITH II,	(Not Guilty/Guilty) of the	
crime of Using a Firearm to Commit Murder	of Crystal Denardi During and in Relation to	
the Attempted Robbery of Ben Gross in vio	plation of Sections 924(c)(1) and 924(j)(1) of	
Title 18 of the United States Code, as charge	ed in Count 5 of the Indictment.	
Dated this day of November 202	21.	
	IURY FOREPERSON	

[Note: If you find the defendant not guilty of Count 5, skip the next page. If you find the defendant guilty of Count 5, proceed to consider the additional question on the next page.]

UNITED STATES OF AMERICA,)
Plaintiff,) No. 3:16-cr-00086-SLG
vs.) <u>VERDICT 5B</u>
JOHN PEARL SMITH II,)
Defendant.)))
Note: If you found the defendant not guilt question. Complete this verdict <u>only</u> if you j	y of Count 5, do not render a verdict on this found the defendant guilty of Count 5.
We, the Jury, having found the defe	endant, JOHN PEARL SMITH II, GUILTY of
Count 5 of the Indictment, further find (chec	ck all that apply):
[] the defendant killed Crysta	al Denardi with malice aforethought
[] the killing was premeditate	ed.
Dated this day of November 20	21.
	ILIRY FOR EPERSON

UNITED STATES OF AMERICA,) N. 2.16 - 00006 GLG
Plaintiff,) No. 3:16-cr-00086-SLG
vs.	VERDICT 6
JOHN PEARL SMITH II,))
Defendant.)))
Note: If you found the defendant not guilty of 6. Complete this verdict only if you found the	f Count 1, do not render a verdict as to Count e defendant guilty of Count 1.
We, the Jury, duly empaneled to	try the above-entitled matter, do find the
defendant, JOHN PEARL SMITH II,	(Not Guilty/Guilty) of the
crime of Using a Firearm to Commit Felon	y-Murder of Crystal Denardi During and in
Relation to the Attempted Robbery of Ben	Gross in violation of Sections 924(c)(1) and
924(j)(1) of Title 18 of the United States Coo	le, as charged in Count 6 of the Indictment.
Dated this day of November 202	21.
	JURY FOREPERSON

UNITED STATES OF AMERICA,) No. 3:16-cr-00086-SLG
Plaintiff, vs.)) <u>VERDICT 7A</u>
JOHN PEARL SMITH II,)
Defendant.))
Note: If you found the defendant not guilty of 7. Complete this verdict only if you found the	of Count 2, do not render a verdict as to Count ne defendant guilty of Count 2.
We, the Jury, duly empaneled to	try the above-entitled matter, do find the
defendant, JOHN PEARL SMITH II,	(Not Guilty/Guilty) of the
crime of Using a Firearm to Commit Murd	er of Ben Gross During and in Relation to a
Drug Trafficking Crime in violation of Sect	ions 924(c)(1) and 924(j)(1) of Title 18 of the
United States Code, as charged in Count 7 o	f the Indictment.
Dated this day of November 202	21.
	JURY FOREPERSON

[Note: If you find the defendant not guilty of Count 7, skip the next page. If you find the defendant guilty of Count 7, proceed to consider the additional question on the next page.]

UNITED STATES OF AMERICA,)
) No. 3:16-cr-00086-SLG
Plaintiff,)
vs.) <u>VERDICT 7B</u>
JOHN PEARL SMITH II,)
Defendant.)
Note: If you found the defendant not guilt question. Complete this verdict only if you	ty of Count 7, do not render a verdict on this found the defendant guilty of Count 7.
We, the Jury, having found the defe	endant, JOHN PEARL SMITH II, GUILTY of
Count 7 of the Indictment, further find (che	ck all that apply):
[] the defendant killed Ben C	Gross with malice aforethought
[] the killing was premeditate	ed.
Dated this day of November 20	21.
	JURY FOREPERSON

UNITED STATES OF AMERICA,)) N. 2.16 00006 GLG
Plaintiff,) No. 3:16-cr-00086-SLG)
Vs.)) <u>VERDICT 8A</u>
JOHN PEARL SMITH II,))
Defendant.)))
Note: If you found the defendant not guilty of 8. Complete this verdict only if you found th	f Count 2, do not render a verdict as to Count e defendant guilty of Count 2.
We, the Jury, duly empaneled to	try the above-entitled matter, do find the
defendant, JOHN PEARL SMITH II,	(Not Guilty/Guilty) of the
crime of Using a Firearm to Commit Murder	of Crystal Denardi During and in Relation to
a Drug Trafficking Crime in violation of Sect	tions 924(c)(1) and 924(j)(1) of Title 18 of the
United States Code, as charged in Count 8 of	f the Indictment.
Dated this day of November 202	21.
	JURY FOREPERSON

[Note: If you find the defendant not guilty of Count 8, skip the next page. If you find the defendant guilty of Count 8, proceed to consider the additional question on the next page.]

UNITED STATES OF AMERICA,)
D1-:-4:66) No. 3:16-cr-00086-SLG
Plaintiff,))
VS.	VERDICT 8B
JOHN PEARL SMITH II,)
Defendant.))
Note: If you found the defendant not gui	lty of Count 8, do not render a verdict on this
question. Complete this verdict <u>only</u> if you	•
W 4 I 1 ' C 14 1 (
We, the Jury, having found the def	fendant, JOHN PEARL SMITH II, GUILTY of
Count 8 of the Indictment, further find (che	eck all that apply):
[] the defendant killed Crys	tal Denardi with malice aforethought
[] the killing was premedita	ted.
Dated this day of November 2	021.
	HIDA EODEDEDCOM
	JURY FOREPERSON

UNITED STATES OF AMERICA,) N. 2.16 - 00006 SLG
Plaintiff,	No. 3:16-cr-00086-SLG
vs.	VERDICT 9
JOHN PEARL SMITH II,))
Defendant.)))
We, the Jury, duly empaneled to	try the above-entitled matter, do find the
defendant, JOHN PEARL SMITH II,	(Not Guilty/Guilty) of the
crime of Robbery of R.H. in violation of Sec	tions 1951(a) of Title 18 of the United States
Code, as charged in Count 9 of the Indictmen	nt.
Dated this day of November 202	1.
	JURY FOREPERSON

Note: If you find the defendant not guilty of this count (Count 9), do not render a verdict as to Count 11. Only if you find the defendant guilty of this count, proceed to render a verdict as to Count 11.

UNITED STATES OF AMERICA,) No. 2:16 or 00086 SLC
Plaintiff,) No. 3:16-cr-00086-SLG
vs.) <u>VERDICT 10</u>
JOHN PEARL SMITH II,)
Defendant.)))
We, the Jury, duly empaneled to	try the above-entitled matter, do find the
defendant, JOHN PEARL SMITH II,	(Not Guilty/Guilty) of the
crime of Attempted Possession of a Contr	rolled Substance with Intent to Distribute in
violation of Sections 846 and 841(b)(1)(C) of	f Title 21 of the United States Code, as charged
in Count 10 of the Indictment.	
Dated this day of November 202	21.
	JURY FOREPERSON

Note: If you find the defendant not guilty of this count (Count 10), do not render a verdict as to Count 12. Only if you find the defendant guilty of this count, proceed to render a verdict as to Count 12.

UNITED STATES OF AMERICA,) No. 3:16-cr-00086-SLG)
Plaintiff,	
vs. JOHN PEARL SMITH II,) VERDICT 11A)
Defendant.)))
Note: If you found the defendant not guilty of 11. Complete this verdict only if you found t	f Count 9, do not render a verdict as to Count he defendant guilty of Count 9.
We, the Jury, duly empaneled to	try the above-entitled matter, do find the
defendant, JOHN PEARL SMITH II,	(Not Guilty/Guilty) of the
crime of Using, Carrying, or Brandishing a F	irearm During and in Relation to the Robbery
of R.H. in violation of Sections 924(c)(1) a	nd 924(j)(1) of Title 18 of the United States
Code, as charged in Count 11 of the Indictme	ent.
Dated this day of November 202	21.
	ILIRY FOREPERSON

Note: If you find the defendant not guilty of Count 11, skip the next page. If you find the defendant guilty of Count 11, proceed to consider the special verdict form on the next page.

UNITED STATES OF AMERICA,) N. 2.16 00006 GLG
Plaintiff,) No. 3:16-cr-00086-SLG
VS.) <u>VERDICT 11B</u>
JOHN PEARL SMITH II,))
Defendant.)))
Note: If you found the defendant not guilty question. Complete this verdict only if you for	of Count 11, do not render a verdict on this ound the defendant guilty of Count 11.
We, the Jury, having found the defer	ndant, JOHN PEARL SMITH II, GUILTY of
Count 11 of the Indictment, further find that t	the defendant performed the following actions
with a firearm regarding that offense (check	all that apply):
[] possessed in furtherance	
[] used during and in relation	to
[] carried during and in relation	on to
[] brandished.	
Dated this day of November 202	21.
	JURY FOREPERSON

UNITED STATES OF AMERICA,) No. 3:16-cr-00086-SLG
Plaintiff,) No. 3:10-cr-00086-SLG)
VS.) <u>VERDICT 12A</u>
JOHN PEARL SMITH II,))
Defendant.)))
Note: If you found the defendant not guilty of 12. Complete this verdict only if you found t	Count 10, do not render a verdict as to Count he defendant guilty of Count 10.
We, the Jury, duly empaneled to	try the above-entitled matter, do find the
defendant, JOHN PEARL SMITH II,	(Not Guilty/Guilty) of the
crime of Using, Carrying, or Brandishing a	a Firearm During and in Relation to a Drug
Trafficking Crime in violation of Sections 92	4(c)(1) and 924(j)(1) of Title 18 of the United
States Code, as charged in Count 12 of the In	ndictment.
Dated this day of November 202	21.
	JURY FOREPERSON

UNITED STATES OF AMERICA,) No. 3:16-cr-00086-SLG
Plaintiff,) No. 3.10-c1-00080-3LG
vs.) <u>VERDICT 11B</u>
JOHN PEARL SMITH II,)
Defendant.)))
Note: If you found the defendant not guilty question. Complete this verdict only if you for	of Count 12, do not render a verdict on this ound the defendant guilty of Count 12.
We, the Jury, having found the defer	ndant, JOHN PEARL SMITH II, GUILTY of
Count 12 of the Indictment, further find that t	the defendant performed the following actions
with a firearm regarding that offense (check	all that apply):
[] possessed in furtherance	
[] used during and in relation	to
[] carried during and in relation	on to
[] brandished.	
Dated this day of November 202	21.
	HIRIT FOR FRED COLV
	JURY FOREPERSON

UNITED STATES OF AMERICA,) > N 2.16 00006 GLC
Plaintiff,) No. 3:16-cr-00086-SLG
vs.	VERDICT 13
JOHN PEARL SMITH II,))
Defendant.))
	,
We, the Jury, duly empaneled to	try the above-entitled matter, do find the
defendant, JOHN PEARL SMITH II,	(Not Guilty/Guilty) of the
crime of Attempted Robbery of M.B. in vic	plation of Section 1951(a) of Title 18 of the
United States Code, as charged in Count 13 of	of the Indictment.
Dated this day of November 202	1.
	JURY FOREPERSON

Note: If you find the defendant not guilty of this count (Count 13), do not render a verdict as to Count 15. Only if you find the defendant guilty of this count, proceed to render a verdict as to Count 15.

UNITED STATES OF AMERICA,	
Plaintiff,) No. 3:16-cr-00086-SLG
vs.) <u>VERDICT 14</u>
JOHN PEARL SMITH II,)
Defendant.))
	,
We, the Jury, duly empaneled to	try the above-entitled matter, do find the
defendant, JOHN PEARL SMITH II,	(Not Guilty/Guilty) of the
erime of Attempted Possession of a Contr	rolled Substance with Intent to Distribute in
violation of Sections 846 and 841(b)(1)(C) of	f Title 21 of the United States Code, as charged
n Count 14 of the Indictment.	
Dated this day of November 202	21.
	JURY FOREPERSON

Note: If you find the defendant not guilty of this count (Count 14), do not render a verdict as to Count 16. Only if you find the defendant guilty of this count, proceed to render a verdict as to Count 16.

UNITED STATES OF AMERICA,) N. 2.16 - 00006 GLG
Plaintiff,) No. 3:16-cr-00086-SLG
VS.) <u>VERDICT 15A</u>
JOHN PEARL SMITH II,)
Defendant.)))
Note: If you found the defendant not guilty of 15. Complete this verdict only if you found	f Count 13, do not render a verdict as to Count the defendant guilty of Count 13.
We, the Jury, duly empaneled to	try the above-entitled matter, do find the
defendant, JOHN PEARL SMITH II,	(Not Guilty/Guilty) of the
crime of Using, Carrying, or Brandishing	g a Firearm During and in Relation to the
Attempted Robbery of M.B. in violation of	Sections 924(c)(1) and 924(j)(1) of Title 18 of
the United States Code, as charged in Count	t 15 of the Indictment.
Dated this day of November 20	21.
	JURY FOREPERSON

UNITED STATES OF AMERICA,)
Plaintiff,) No. 3:16-cr-00086-SLG
VS.) <u>VERDICT 15B</u>
JOHN PEARL SMITH II,)
Defendant.)))
Note: If you found the defendant not guilty question. Complete this verdict only if you for	of Count 15, do not render a verdict on this ound the defendant guilty of Count 15.
We, the Jury, having found the defer	ndant, JOHN PEARL SMITH II, GUILTY of
Count 15 of the Indictment, further find that t	the defendant performed the following actions
with a firearm regarding that offense (check	all that apply):
[] possessed in furtherance	
[] used during and in relation	to
[] carried during and in relation	on to
[] brandished.	
Dated this day of November 202	21.
	WIDNI DO DE DE CONT
	JURY FOREPERSON

UNITED STATES OF AMERICA,) No. 3:16-cr-00086-SLG
Plaintiff,) No. 3:16-cr-00086-SLG)
VS.) VERDICT 16A
JOHN PEARL SMITH II,))
Defendant.)))
Note: If you found the defendant not guilty of 16. Complete this verdict <u>only</u> if you found t	Count 14, do not render a verdict as to Count he defendant guilty of Count 14.
We, the Jury, duly empaneled to	try the above-entitled matter, do find the
defendant, JOHN PEARL SMITH II,	(Not Guilty/Guilty) of the
crime of Using, Carrying, or Brandishing a	Firearm During and in Relation to a Drug
Trafficking Crime in violation of Sections 92	4(c)(1) and 924(j)(1) of Title 18 of the United
States Code, as charged in Count 16 of the Ir	ndictment.
Dated this day of November 202	21.
	JURY FOREPERSON

UNITED STATES OF AMERICA,) N. 2.16 00006 GLG
Plaintiff,) No. 3:16-cr-00086-SLG)
VS.) <u>VERDICT 16B</u>
JOHN PEARL SMITH II,)
Defendant.)))
Note: If you found the defendant not guilt question. Complete this verdict only if you	y of Count 16, do not render a verdict on this found the defendant guilty of Count 16.
We, the Jury, having found the defe	endant, JOHN PEARL SMITH II, GUILTY of
Count 16 of the Indictment, further find that	the defendant performed the following actions
with a firearm regarding that offense (check	c all that apply):
[] possessed in furtherance	
[] used during and in relation	n to
[] carried during and in relat	ion to
[] brandished.	
Dated this day of November 20	021.
	JURY FOREPERSON

RESPECTFULLY SUBMITTED this 27th day of September 2021, at Anchorage,

Alaska.

E. BRYAN WILSON Acting United States Attorney

s/ Christopher D. Schroeder CHRISTOPHER D. SCHROEDER Assistant U.S. Attorney United States of America

CERTIFICATE OF SERVICE

I hereby certify that on September 27, 2021, a copy of the foregoing was served electronically via the CM/ECF filing system on the following:

Mark A. Larrañaga Suzanne Lee Elliott Theresa M. Duncan

s/ Christopher D. Schroeder Office of the U.S. Attorney